

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND											
1 Date of Request: <u>7/29/05</u>		2 Serial/Patent # <u>10/084,119</u>									
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT							
	Filing			\$							
	Amendment			\$							
	Extension of Time			\$							
	Notice of Appeal/Appeal			\$							
<input checked="" type="checkbox"/>	Petition	1FW	12/20/2004	\$ 1500.00							
	Issue			\$							
	Cert of Correction/Terminal Disc.			\$							
	Maintenance			\$							
	Assignment			\$							
	Other			\$							
			7 TOTAL AMOUNT OF REFUND								
			\$ 1500.00								
8 TO BE REFUNDED BY:											
		Treasury Check									
		Credit Deposit A/C #:									
		9 <table border="1" style="display: inline-table; border-collapse: collapse;"> <tr> <td style="width: 20px; text-align: center;">0</td> <td style="width: 20px; text-align: center;">5</td> <td style="width: 20px; text-align: center;">--</td> <td style="width: 20px; text-align: center;">0</td> <td style="width: 20px; text-align: center;">2</td> <td style="width: 20px; text-align: center;">2</td> <td style="width: 20px; text-align: center;">5</td> </tr> </table>			0	5	--	0	2	2	5
0	5	--	0	2	2	5					
10 REASON:											
	Overpayment										
	Duplicate Payment										
<input checked="" type="checkbox"/>	No Fee Due (Explanation):										
office error											
11 REFUND REQUESTED BY:											
TYPED/PRINTED NAME: <u>Derek L. Woods</u>		TITLE: <u>Attorney</u>									
SIGNATURE: <u>Derek Woods</u>		PHONE: <u>2-3232</u>									
OFFICE: <u>Petitions</u>											
***** THIS SPACE RESERVED FOR FINANCE USE ONLY: *****											
APPROVED: <u>[Signature]</u>		DATE: <u>7/29/05</u>									

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:



Fee Copy

82161ARLW
Customer No. 01333

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Mark E. Bridges, et al.

**AN IMAGE DISPLAY SYSTEM
WITH BODY POSITION
COMPENSATION**

Serial No. 10/084,119

Filed 27 February 2002

Mailstop
Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

Sir:

Group Art Unit: 2851

Examiner: Magda Cruz

I hereby certify that this correspondence is being deposited today with the United States Postal Service as first class mail in an envelope addressed to Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Anita Marie Barker
Anita Marie Barker

December 15, 2004
Date

**PETITION TO REVIVE AN UNINTENTIONALLY ABANDONED
APPLICATION UNDER 37 CFR 1.137(b) AND, IN THE ALTERNATIVE,
TO WITHDRAW HOLDING OF ABANDONMENT IN VIEW OF
CERTIFICATE OF MAILING PRACTICE UNDER 37 CFR 1.8**

A Notice of Abandonment was mailed by the USPTO on June 8, 2004 on the above-indicated application for failure to timely file any reply to the Office letter mailed on Aug. 22, 2003.

Applicants petition to revive the application as being unintentionally abandoned and, in the alternative, for withdraw of the holding of abandonment in view of timely mailing of a reply in accordance with certificate of mailing practice under 37 CFR 1.8.

An amendment mailed on October 7, 2003 and received by the United States Patent and Trademark Office is a complete response to the Official Action mailed August 22, 2003. Therefore, it is respectfully requested that the holding of abandonment be withdrawn in view of the timely mailing with the Certificate of Mailing under 37 CFR 1.8(a). In the alternative, if there is determined to have been a delay in filing a reply to the Office letter mailed on Aug. 22, 2003, the delay in reply was unintentional. This petition is within one year of the date of abandonment.

BEST AVAILABLE COPY

12/21/2004 NBERHE 00000029 050225 10084119
01 FC:1453 1500.00 DA

Adjustment Date: 07/29/2005 AKELLEY 10084119
12/21/2004 NBERHE 00000029 050225
01 FC:1453 1500.00 CR

A timely response to the Office Action mailed August 22, 2003, including an Amendment was mailed on October 7, 2003. The amendment contained a Certificate of Mailing as set forth in 37 CFR 1.8(a) and signed by Carol J. Murphy, authorizing payment of any additional fees. A Copy of the Amendment is attached to this Petition. Also attached hereto is a copy of the postcard which accompanied the documents mailed October 7, 2003. The postcard was returned with the Office "MAILROOM" stamp indicating receipt by the United States Patent and Trademark Office on October 9, 2003. As stated in MPEP 503 "A postcard receipt which itemizes and properly identifies the papers which are being filed serves as prima facie evidence of receipt in the PTO of all items listed thereon on the the date stamped thereon by the PTO."


A Status Inquiry was mailed April 1, 2004. Attached hereto is a copy of the accompanying postcard which was returned with the Office "OIPÉ" stamp indicating receipt by the United States Patent and Trademark Office on April 6, 2004.

A Request for Reconsideration and Withdrawl of Holding or Abandonment in View of Certificate of Mailing Practice Under 37 CFR 1.8 was filed, by facsimile to Examiner Magda Cruz on June 14, 2004. A copy is attached along with a copy of the "Auto-Reply Facsimile Transmission" of the cover page received by the USPTO, which itemizes and properly identifies the papers which were filed. The Request for Reconsideration and Withdrawl of Holding or Abandonment in View of Certificate of Mailing Practice Under 37 CFR 1.8 petitions, in the alternative for revival of the application under 37 CFR 1.137(b) as unintentionally abandoned. The Examiner communicated by telephone on or about December 8, 2004 that a petition to revive was necessary in this matter.

Please charge necessary fees, including, if appropriate, Fees for the Petition to Revive to Eastman Kodak Company Deposit Account No. 05-0225.
(A duplicate copy of this letter is enclosed).

It is respectfully requested that the amendment be considered.

Respectfully submitted,


Attorney for Applicant(s)
Registration No. 30,700

Robert Luke Walker/amb
Rochester, NY 14650
Telephone: (585) 588-2739
Facsimile: (585) 477-1148